

Brett Kilbourne Counsel & Director of Regulatory Services

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October 5, 2004

Marlene H. Dortch, Secretary Federal Communications Commission 445 - 12th Street, N.W. Washington, D.C. 20554

> Re: Notice of Oral Ex Parte Communication ET Docket No. 04-37

Dear Ms. Dortch:

This is to notify you, pursuant to Section 1.1206 of the Commission's Rules that on behalf of the United Power Line Council (UPLC) I met today with Anh Wride, Bruce Franca, and Alan Stillwell of the Office of Engineering & Technology to discuss issues related to restrictions on BPL operations recommended by NTIA in the above-referenced proceeding. The substance of the discussions was consistent with the comments of the UPLC as filed on the record in this proceeding.

If there are any questions concerning this matter, please contact the undersigned directly.

Very truly yours,

Brett Kilbourne

Brett Kilbourne Director of Regulatory Services

cc: Anh Wride Bruce Franca Alan Stillwell